

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JAN 14 2009

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In the Matter of: STEPHEN LAW,

Debtor,

No. 07-56237

BAP No. CC-06-01390-KPaA

STEPHEN LAW,

Appellant,

MEMORANDUM<sup>\*</sup>

v.

CAU-MIN LI,

Appellee.

Appeal from the Ninth Circuit  
Bankruptcy Appellate Panel  
Pappas, Klein, and Alley, Bankruptcy Judges, Presiding

Submitted December 17, 2008<sup>\*\*</sup>

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: WALLACE, TROTT, and RYMER, Circuit Judges.

Stephen Law, Chapter 7 debtor, appeals pro se from the Bankruptcy Appellate Panel's ("BAP") judgment affirming the bankruptcy court's order dismissing his claim as barred by the doctrine of res judicata. We have jurisdiction under 28 U.S.C. § 158(d). We review de novo the BAP's decision. *Arrow Elecs., Inc., v. Howard Justus (In Re Kaypro)*, 218 F.3d 1070, 1073 (9th Cir. 2000). We affirm.

The BAP properly concluded that the bankruptcy court did not err when it granted summary judgment because Law was precluded from relitigating claims and issues that were resolved by a final judgment on the merits in a prior action involving the same parties. *See Headwaters Inc. v. U.S. Forest Service*, 399 F.3d 1047, 1051 (9th Cir. 2005) (explaining doctrine of res judicata); *Poonja v. Alleghany Props. (In re Los Gatos Lodge, Inc.)*, 278 F.3d 890, 894 (9th Cir. 2002) ("[T]he bankruptcy court's allowance or disallowance of a proof of claim is a final judgment.").

The BAP did not abuse its discretion by denying Law's motion to reconsider because Law did not present newly discovered evidence, an intervening change in the law, or clear error by the court. *See 389 Orange Street Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999).

Law's remaining contentions are unpersuasive.

**AFFIRMED.**